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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,315	01/02/2002	Hiroshi Hara	50R4872	7227

7590 01/27/2005

Intellectual Property Department  
Sony Electronics Inc.  
16450 West Bernardo Drive, MZ 7190  
San Diego, CA 92127-1898

EXAMINER

HSIA, SHERRIE Y

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/038,315

Applicant(s)

HARA, HIROSHI

Examiner

Sherrie Hsia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “first decoder” and “a second decoder” as claimed in claim 2, “a first buffer” claimed in claim 4, “a second buffer” claimed in claim 6, “first buffer” and “a second buffer” claimed in claim 7, “an audio decoder” and “a video decoder” claimed in claim 8, “a first buffer” claimed in claim 9, “a second buffer” claimed in claim 20, “said first buffer” and “said second buffer” claimed in claim 11, “a standard signal decoder” and “a high definition signal decoder” claimed in claim 12, “a first buffer” claimed in claim 13, “a second buffer” claimed in claim 14, “a synchronization circuit in electrical communication with said first buffer and said second buffer” claimed in claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the

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drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, the phrase "and any equivalent" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and any equivalent"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Regarding claim 15, the phrase "and any like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and any like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Haisma (6697120).

As to claim 1, Haisma discloses the claimed subject matter, the claimed audio signal generated from a first device is met by the audio source 6 (Fig. 1, column 6 lines 4-5), the claimed video signal generated from a second device is met by the video source 1 (Fig. 1, column 6 lines 3-4), the claimed synchronizing the audio signal and the video signal is met by column 6 lines 29-31.

As to claim 8, Haisma discloses the claimed subject matter, the claimed first device including an audio decoder is met by the audio source 6 (Fig. 1, column 6 lines 4-5), and the claimed second device including a video decoder is met by the video source 1 (Fig. 1, column 6 lines 3-4).

4. Claims 1, 8-14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Binford, Jr. (6285405).

As to claim 1, Binford discloses the claimed subject matter, the claimed audio signal generated from a first device is met by the microphone 108 and the control processor 104 (Fig. 1), the claimed video signal generated from a second device is met by the video camera 102 and the control processor 104 (Fig. 1), the claimed synchronizing the audio signal and the video signal is met by the control processor 104 (Figs. 1 and 2).

As to claim 2, Binford discloses the claimed determining a first processing speed, determining a second processing speed and utilizing the first and second processing speed to symphonizing the audio and video signals (Figs 4 and 5, column 6 line 34-column 7 line 47).

As to claim 3, Binford discloses the claimed determining a difference (column 7 lines 3-6).

As to claim 4, the claimed first buffer is met by the buffer 214 (Fig. 2).

As to claim 5, the claimed limitation is disclosed by Binford (column 4 lines 1-3).

As to claim 6, the claimed second buffer is met by the buffer 208 (Fig. 2).

As to claim 7, the claimed limitation is disclosed by Binford (column 6 line 34-column 7 line 35).

As to claim 8, Binford discloses the claimed subject matter, the claimed first device including an audio decoder is met by the microphone 108 and the control processor 104 (Figs. 1 and 2), and the claimed second device including a video decoder is met by the video camera 102 and the control processor 104 (Figs. 1 and 2).

As to claim 9, the claimed first buffer is met by the buffer 214 (Fig. 2).

As to claim 10, the claimed second buffer is met by the buffer 208 (Fig. 2).

As to claim 11, the claimed at least one synchronization circuit is met by the control processor 104 (Fig. 2).

As to claim 12, Binford discloses the claimed subject matter, the claimed first device including an standard signal decoder is met by the microphone 108 and the control processor 104 (Figs. 1 and 2), the claimed second device including a high definition signal decoder is met by the video camera 102 and the control processor 104 (Figs. 1 and 2), and the claimed at least one

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peripheral device is met by the input/output devices 112 and the communication processor 206 (Figs. 1 and 2).

As to claim 13, the claimed first buffer is met by the buffer 214 (Fig. 2).

As to claim 14, the claimed second buffer is met by the buffer 208 (Fig. 2).

As to claim 15, the claimed limitation is disclosed by Binford (column 4 lines 11-15).

As to claim 16, the claimed synchronization circuit is met by the communication processor 206 (Fig. 2, column 5, lines 35-40).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sackstein (6744815) discloses a method for synchronizing audio and video streams.

Shaffer (5570372) shows multimedia communications with system-dependent adaptive delays.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9306**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (703) 308-HELP.



Sherrie Hsia  
Primary Examiner  
Art Unit 2614

SH

January 24, 2005